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6 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
7 **OF THE STATE OF WASHINGTON**

8 In the Matter of Enforcement Action  
9 Against

10 Whatcom County Democratic Central  
11 Committee,

12 Respondent.

PDC CASE NO. 06-302

STIPULATION AS TO FACTS,  
VIOLATIONS AND PENALTY

13 COMES NOW the parties hereto, the Public Disclosure Commission Staff, through its  
14 Executive Director, VICKI RIPPIE, and the Respondent, Whatcom County Democratic  
15 Central Committee (WCDCC), appearing through its chairman, BARRY BUCHANAN, and  
16 submit this Stipulation as to Facts, Violations and Penalty in this matter.

17 **JURISDICTION**

18 1. The Public Disclosure Commission has jurisdiction over this proceeding pursuant to  
19 Chapter 42.17 RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative  
20 Procedure Act; and Title 390 WAC.

21 **FACTS**

22 2. Respondent Whatcom County Democratic Central Committee is a bona fide political party  
23 organization and is the official democratic county central committee in Whatcom County.  
24 The WCDCC is registered with, and reports its financial activities to, the Washington State  
25 Public Disclosure Commission.  
26

**2005 Late Reporting of C-3 and C-4 Reports**

3. During 2005, the WCDCC raised \$25,629 and spent \$29,511.
4. During 2005, the WCDCC failed to timely file all of its C-3 reports of contributions received. There were a total of 91 C-3 reports filed between 18 and 157 days late. The following is a summary of the late-filed C-3 reports:

Month 2005	No. Reports	Days Late	Amount
January	9	95-138	\$ 2,130
February	6	110	\$ 810
March	9	78	\$ 1,066
April	9	49	\$ 830
May	5	18	\$ 462
June	8	21	\$ 2,617
July	3	150-157	\$ 80
August	8	134-148	\$ 1,459
September	10	104-124	\$ 4,685
October	10	80-101	\$ 7,205
November	5	63-77	\$ 382
December	9	21-24	\$ 3,903
<b>Total</b>	<b>91</b>	<b>18-157</b>	<b>\$ 25,629</b>

5. The WCDCC filed all of its 2005 C-4 reports late. There were a total of 12 C-4 reports filed between 24 and 245 days late that, in addition to the contributions, included \$29,511 in expenditures. The late-filed C-4 reports included \$7,789 in expenses that featured candidates and ballot measures as part of the committee's get-out-the-vote (GOTV) campaign. In addition, the WCDCC spent \$606 to directly influence a local ballot measure.

6. Following is a summary of the late-filed C-4 reports for 2005:

Month 2005	Due Date	Date Filed	Days Late	Contributions	Expenses
January	2-10-05	5-16-05	95	\$ 2,130	\$ 1,968
February	3-10-05	5-16-05	67	\$ 810	\$ 1,860
March	4-11-05	5-16-05	35	\$ 1,066	\$ 2,232
April	5-10-05	1-10-06	245	\$ 830	\$ 2,694
May	6-10-05	1-10-06	214	\$ 462	\$ 745
June	7-11-05	1-11-06	183	\$ 2,617	\$ 1,414
July	8-10-05	1-11-06	154	\$ 80	\$ 309
August	9-12-05	1-11-06	120	\$ 1,459	\$ 1,376
September	10-10-05	1-18-06	100	\$ 4,685	\$ 1,956
October*	11-10-05	1-23-06	74	\$ 7,205	\$ 7,885
November	12-10-05	1-23-06	42	\$ 382	\$ 3,351
December	1-10-06	2-3-06	24	\$ 3,903	\$ 3,721
<b>Total</b>			<b>24-245</b>	<b>\$ 25,629</b>	<b>\$ 29,511</b>

\* No 21-day or 7-day pre-general reports were filed as required.

#### **2004 Late Reporting of C-3 and C-4 Reports**

7. During 2004, the WCDCC failed to timely file 108 of its 208 C-3 reports of contributions received. The 108 late-filed C-3 reports were filed between 1 and 58 days late. Of the late-filed reports, 53 were filed from 23 to 58 days late and totaled \$21,194. The following is a summary of the late-filed C-3 reports for 2004:

Month 2004	No. Reports	Days Late	Amount
January	7	47-50	\$2,648
February	15	31-37	\$10,392
March	9	24	\$1,762
April	32	7-46	\$10,147
July	3	7-10	\$185
August	19	1-9	\$2,722
September	7	2-9	\$2,997
October	8	1-15	\$3,929
November	3	31	\$89
December	5	59	\$1,696
<b>Total</b>	<b>108</b>	<b>1-58</b>	<b>\$36,567</b>

8. In 2004, the WCDCC filed 10 of 13 C-4 reports late. The late-filed reports were filed between 2 and 65 days late. The late-filed C-4 reports included \$55,253 in contributions received and \$41,352 in expenditures. The late-filed C-4 reports included \$13,128 in expenses that featured state and local candidates and ballot measures as part of its GOTV and party building efforts. In 2004, there were no direct monetary or in-kind contributions to candidates or ballot measure committees. Following is a summary of the late filed C-4 reports for 2004:

Month 2004	Due Date	Date Filed	Days Late	Contributions	Expenses
January	2-10-04	4-1-04	51	\$ 2,650	\$ 2,313
February	3-10-04	5-6-04	57	\$ 6,592	\$ 3,620
March	4-12-04	5-7-04	25	\$ 1,806	\$ 1,851
April	5-10-04	6-29-04	50-51	\$ 11,199	\$ 8,999
May	6-10-04	7-1-04	21	\$ 4,189	\$ 4,433
Pre-Primary	8-24-04	9-14-04	21	\$ 8,491	\$ 1,675
Pre -Primary	9-7-04	9-17-04	10	\$ 4,475	\$ 1,235
Pre-General	10-12-04	10-14-04	2	\$ 10,089	\$ 6,361
Post-Election	12-10-04	12-16-04	6	\$ 3,930	\$ 4,421
December	1-10-05	3-15-05	65	\$ 1,832	\$ 6,443
<b>Total</b>			<b>2-65</b>	<b>\$ 55,253</b>	<b>\$ 41,352</b>

### VIOLATIONS

The parties hereto stipulate to the following violations:

9. The Whatcom County Democratic Central Committee committed multiple violations of RCW 42.17.080 and .090 during 2005 and 2004 by failing to timely file C-3 reports of contributions received, and by failing to timely file C-4 summary reports of contributions and expenditures.

### PENALTY

10. Respondent and Staff agree that based upon the stipulated facts and agreement regarding multiple violations of RCW 42.17.080 and 42.17.090 above, the Respondent is willing to accept an assessed total civil penalty of \$3,500. The parties also agree that \$1,750 of the assessed penalty will be suspended on the condition that the Respondent commits no

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Public Disclosure Commission

1 further violations of RCW 42.17 through the end of calendar year 2007. The Respondent  
2 agrees to pay \$875 of the non-suspended portion of the penalty within 30 days of the date  
3 of the Commission's final order in this matter, and to pay the remaining non-suspended  
4 portion of the penalty (\$875) within 60 days from the date of the Commission's final  
5 order.

6 11. The Respondent agrees to establish an internal control process for reviewing reports that  
7 are to be filed with the Public Disclosure Commission to insure that the reports are  
8 complete, accurate and filed in a timely fashion. Finally, the Respondent agrees to comply  
9 in good faith with all future reporting requirements in accordance with RCW 42.17.

10  
11 Stipulated to and dated this 22<sup>nd</sup> day of March, 2006.

12  
13 Vicki Rippie  
14 Vicki Rippie, Executive Director  
Public Disclosure Commission

3/22/06  
Date Signed

15  
16 Barry Buchanan  
17 Barry Buchanan, Chairman  
18 Whatcom County Democratic Central Committee

3/20/06  
Date Signed